

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 2:16-CR-114
	)	
JAMES SUMMERS	)	

**MEMORANDUM AND ORDER**

The defendant is charged with two firearms offenses. He has filed a motion to suppress. [Doc. 50]. The United States has responded in opposition. [Doc. 58].

United States Magistrate Judge Clifton Corker conducted an evidentiary hearing on May 11, 2017. Now before the court is the magistrate judge's May 16, 2017 report and recommendation ("R&R"), recommending that the defendant's motion be denied. [Doc. 64].

A district court is both statutorily and constitutionally required to conduct a *de novo* review of a magistrate judge's report and recommendation. *See United States v. Shami*, 754 F.2d 670, 672 (6th Cir. 1985). However, it is necessary only to review "those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b). The district court need not provide *de novo* review where objections to a report and recommendation are frivolous, conclusive, or general. *See Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986).

No objections have been filed to the present R&R, and the time for doing so has now passed. [Doc. 65]. The undersigned has nonetheless thoroughly reviewed the R&R, the defendant's motion, and the parties' briefing.

Finding itself in complete agreement with the magistrate judge, the court **ADOPTS** the findings of fact and conclusions of law set out in the report and recommendation [doc. 64]. It is **ORDERED** that the defendant's motion to suppress [doc. 50] is **DENIED**. This case remains set for trial on June 13, 2017.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge